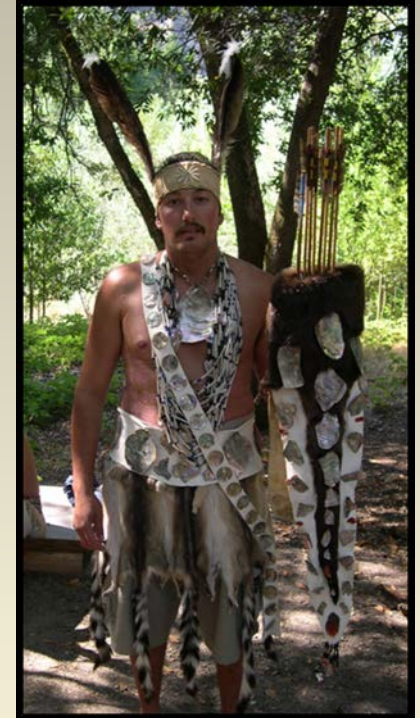


# New Strategies for Incorporating Traditional Ecological Knowledge and Practices: Governments and American Indians

## Frank Kanawha Lake

- 1995 B.S. U.C. Davis
- Fisheries and Aquatic Ecology
- 1996-2000 –Fisheries Biologist
- 2007 Ph.D. Oregon State University
- 2007-Present USFS-PSW
- Traditional Ecological Knowledge and Ethnobiology
- Fire and Fuels Management
- Fire effects on fisheries and riparian zones
- TEK & Climate Change



# U.S. and CA Policies Affecting American Indians: How is Traditional Knowledge Incorporated?

- Federal and CA State:
  - National Fire Plan 2000
  - Healthy Forest Restoration Act 2003
  - 10-Year Strategy Implementation Plan
  - FLAME ACT 2009
  - Cohesive Wildland Fire Management Strategy
  - Farm Bill 2008 [Chapter 32A CHCA]
- Traditional Gathering Policy
- Western Regional Air Management Policy
- Consultation: Executive Orders and Departmental Policies





# National Fire Plan and other policies- Implications for Tribal Communities

- Established in 2000
  - Recognized Traditional Knowledge
  - Began funding community-based hazardous fuels reduction and prescribe burning
  - Provided funding for implementation which fostered collaborative partnerships among agencies and communities
    - Beginning of Fire Safe Councils: Funding for treatments on private and tribal lands
    - Tribal partnerships incorporated traditional knowledge of fire and culturally important species

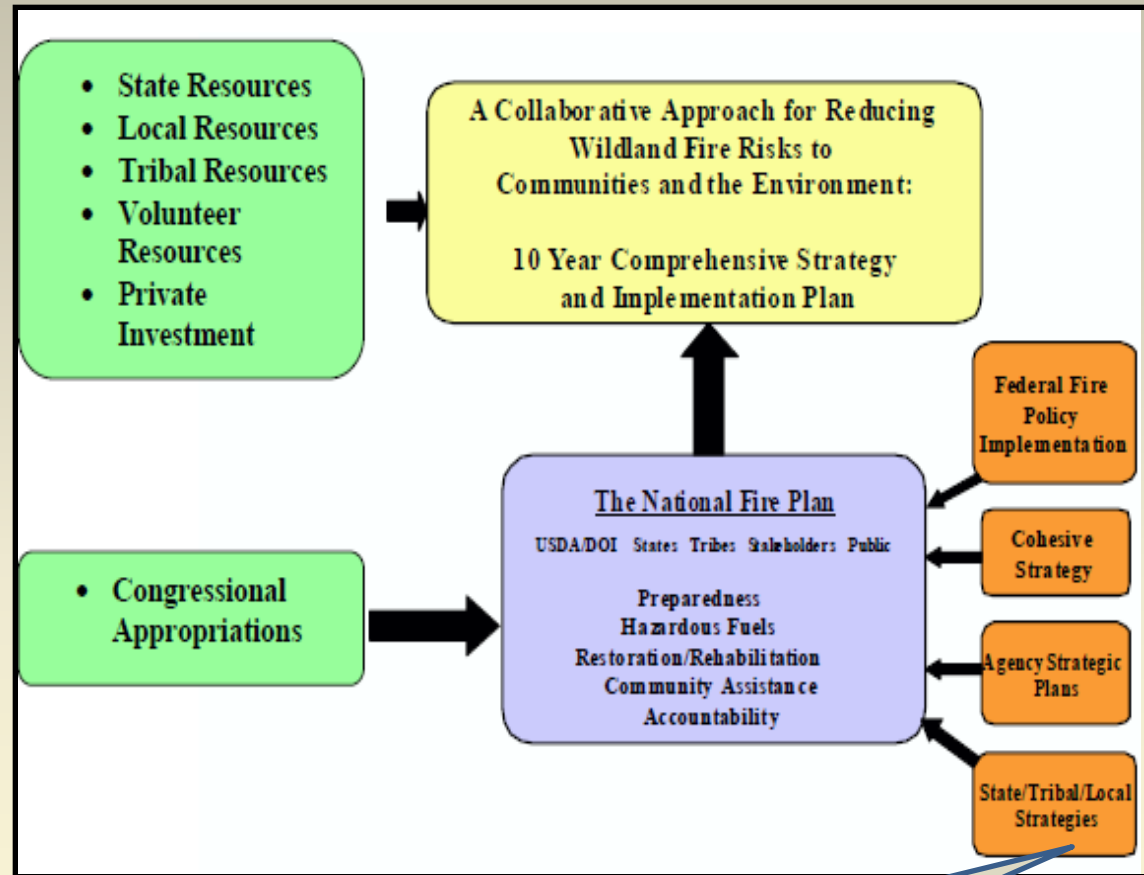


Photos: Top-wildfire suppression impacts to tanoak acorn trees, Bottom- basket weaver evaluation of prescribed/cultural burn on valued plant resources

# 10-Year Comprehensive Strategy Implementation Plan 2002

- A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment

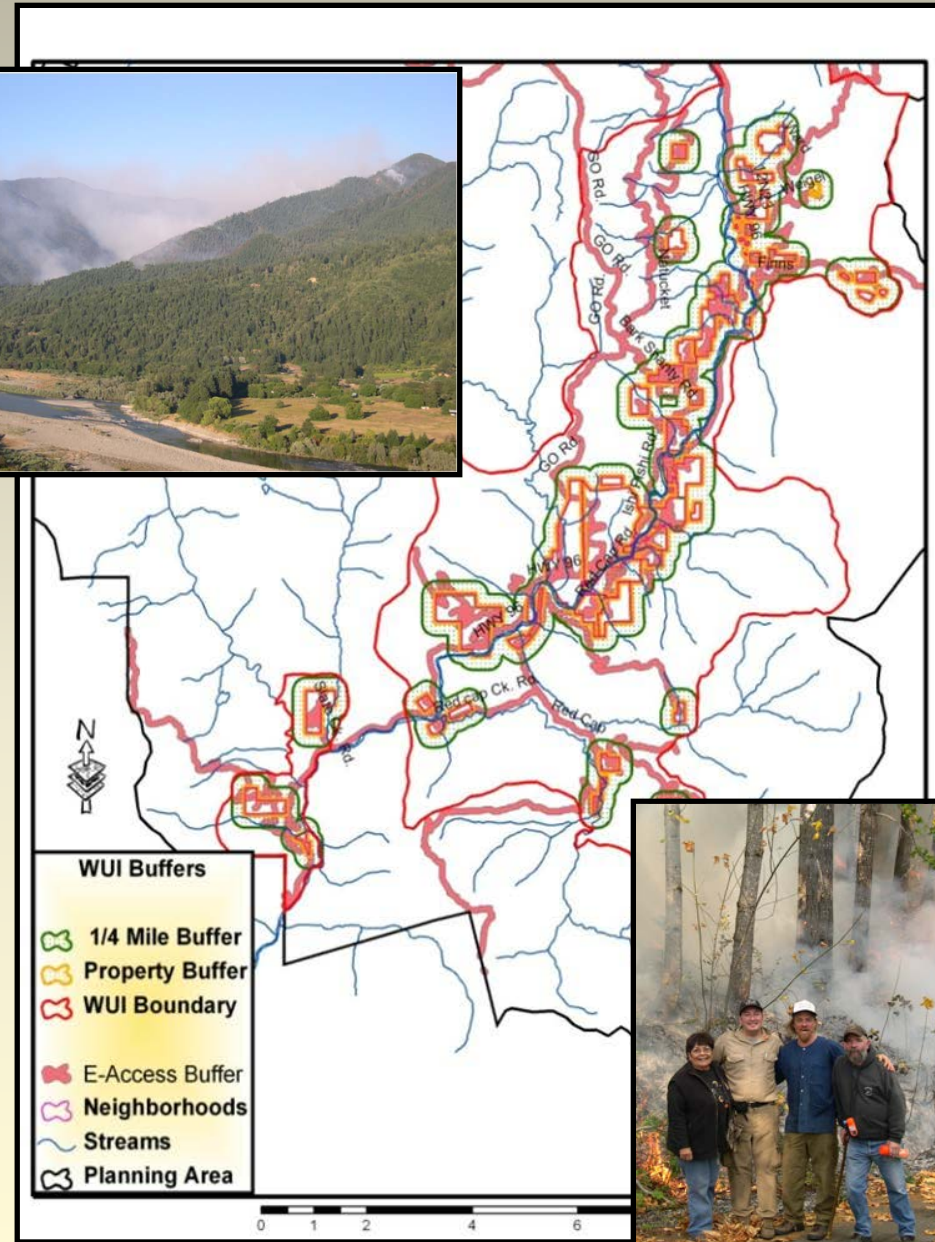
Protect firefighters, citizens, communities, forests and rangelands from the undesired effects of wildland fire



Inclusion of tribal land/resource management plans inclusive of TEK

# Healthy Forest Restoration Act 2003

- Community Wildfire Protection Plan (CWPP)
  - Establishment of the Wildland-Urban Interface
  - Designation of priority landscape treatment areas
  - Consideration of local/tribal community values [Identified by tribes]
  - Cooperative Funding





# FLAME ACT 2009

## “Federal Land Assistance Management Enhancement”

- Required Secretary of Interior and Agriculture to respond to national fire and fuels issues
- Cohesive Wildland Fire Management Strategy
  - Response to Wildfire
  - Fire Adapted Communities
  - Resilient Landscapes
  - Supported by Science
  - Traditional ecological knowledge incorporated
    - Protection of cultural resources and sacred sites



# THE WESTERN REGIONAL AIR PARTNERSHIP: Federal State Agencies & Tribes

- U.S. EPA: Natural vs. Anthropogenic Task Team-Fire Emissions Joint Forum 2005
  - Fire emissions inventory
  - Policy establishes that emissions from Native American cultural fire will be categorized as “natural”.
  - “Native American cultural burning for traditional, religious, and ceremonial purposes is a ‘natural’ source.”

Photos: NW Cal. Hoopa Valley IR-Mill Creek # 4 Fire Oct. 2009 and an arson fire along Hwy 96.





# Cal Fire: Native American Tribal Community Relations Policy, 18 Jan. 2012

- Direction for consultation with tribal governments
- Planning efforts, assessments, strategic plans, etc. having potential impact
- Projects-Funding/grants and coordination
- Protection of cultural resources- Archaeological and heritage focused
- Native American Advisory Council





# Farm Bill 2008 [Chapter 32A Cultural and Heritage Cooperation Authority]: How federal agencies can provide specificity to policies

- Sec. 8101. [§3051] PURPOSES
  - (3) to authorize the Secretary of Agriculture to ensure access to National Forest System land, to the maximum extent practicable, by Indians and Indian tribes for traditional and cultural purposes;
  - (4) to authorize the Secretary to provide forest products, without consideration, to Indian tribes for traditional and cultural purposes;
- Sec. 8105. [§3055] Forest products for traditional and cultural purposes.
  - (a) ...the Secretary may provide free of charge to Indian tribes any trees, portions of trees, or forest products from National Forest System land for traditional and cultural purposes.





# Traditional Gathering Policy: California USFS and BLM, elevated to National Interim Directive

- Federally recognized American Indian tribes
  - Applies to most tribal communities/individuals
- Tribal identification required
  - No fees for permits/access
- Proposed restrictions on quantity or method of harvest





# CA Natural Resources Agency Tribal Consultation Policy

- Government to Government Consultation
  - Provide meaningful input in development of regulations, rules and policies
  - Outreach, Liaisons, Committee, Contacts and Training
  - **How are tribes directly involved?** Councils, THPOs, individuals.
  - **How are tribes directly or indirectly affected?** Retained rights
- Example: Pacific lamprey-Ocean to creeks, tribal harvesting impacted by past eradication, river flow management, habitat loss & alterations, and Fish and Game regulations on methods.
- Comprised of 25 departments, commissions, conservancies, and boards, manages a wide variety of issues pertaining to water, fish and game, forestry, parks, energy, minerals, coastal and marine life.
  - Statutes and regulations exist to protect these resources.
  - **Every resource and place has value to Ca. tribes**
  - **Applicability of tribal traditional ecological knowledge spans many resources and locations**



\*Tribal TEK for lamprey harvesting spans estuarine, riverine, and riparian habitats as well as geomorphology, hydrology, and climate factors. From river to smoke house!